

Notice of Allowability

Application No.

10/575,018

Examiner

PRASHANT J. KHATRI

Applicant(s)

KELLER ET AL.

Art Unit

1783

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/10/2010.
2. ☒ The allowed claim(s) is/are 1-3, 5, 6 and 9-14.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 3/13/2010
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

/Patricia L. Nordmeyer/
Primary Examiner, Art Unit 1783

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ian Walsworth on 5/13/2010.

The application has been amended as follows:

2. Claim 1 recites "50 kg/m³ or less" on line 14, after "of" and before ","; Please amend claim 1 to read "less than 75 kg/m³" on line 14, after "of" and before "," and delete "50 kg/m³ or less".
3. Claim 5 recites "□" on line 7, after "4" and before "m"; Please amend claim 5 to read "μ" on line 7, after "4" and before "m" and delete "□".
4. Claim 12 recites the phrase "glass cloth fleece" on line 3; please delete the term "cloth".
5. The following is an examiner's statement of reasons for allowance: The present claims are found to be allowable over the closest prior art Battigelli et al. (**US 5601628**), Jensen et al. (**US 5614449**), Vignesoult et al. (**US 6284684**), Trabbold et al. (**WO 02/070417**), Audren et al. (**US 4928898**), Balcerowiak et al. (**Journal article**), Jessen et al. (**US 20040258865**), and Dyrboel et al. (**WO 00/17121**).

Battigelli et al. disclose a method for producing mineral wool and apparatus thereof wherein the reduction of beads is controlled by viscosity and pressure of the blower. Given that the examples as shown by Battigelli show a reduction of beads found within the resulting felt to be as low as 2%, wherein the present claims recite the limitation of the beads to be less than 1%, the disclosure of Battigelli is silent to producing even lower bead contents. Jensen discloses the use of binder materials and fiber sizes, however Jensen is silent to any bead content and as a result, the present claims distinguish over Jensen. Vignesoult discloses a mineral wool composition and use as insulation, however, Vignesoult is silent to the resulting properties after formation including the formation of beads. Trabbold discloses the formation of insulation wherein a product of finer fibers is less dense and can provide similar insulating values over denser insulation. However, the present claims are considered to be novel and unobvious over Trabbold given that the amounts of beads found after processing control the uniformity insulation values over the whole surface. As such, Trabbold remains silent to the amount of beads which in combination with the above references would not render the present claims obvious or non-novel.

Audren et al. disclose a compression coiling machine for rolling mineral fibers having densities not exceeding 30 kg/m^3 . However, it is noted that Audren in combination with the above references would not fairly teach the present claims. Balcerowiak teach the use of organic binders with mineral wool. However, Balcerowiak is silent to the amount used and further, the thermal values, densities, and compression

ratios desired. As such, the combination would not fairly teach the desired thermal and physical properties as presently claimed.

Jessen et al. teach a mineral wool having a specific density range and compression ranges. However, Jessen is silent to the amount of beads found and as a result, would not meet the presently claimed thermal values. Dyrobel et al. teach a mineral wool having an organic binder and mineral wool having a compression. However, Dyrobel in combination with the above references would fail to teach the presently claimed bead amount and as a result, the present claims are found to be allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PRASHANT J. KHATRI whose telephone number is (571)270-3470. The examiner can normally be reached on M-F 8:00 A.M.-5:00 P.M. (First Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Sample can be reached on (571) 272-1376. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patricia L. Nordmeyer/
Primary Examiner, Art Unit 1783

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/P. J. K./
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